26th March 1929]

Mr. K. R. KARANT :—"Is it not discourtesy to a British subject to withdraw his powers without assigning any reasons?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That is a matter of opinion, Sir."

Mr. K. V. R. SWAMI :—"May I know from the hon. Member whether he is acting solely on the action of His Exalted Highness the Nizam's Government in regard to this matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes. That is the answer already given."

Alleged withdrawal of the powers of Mr. Paisley as Presidency Magistrate.

* 1891 Q.—Dr. B S. MALLAYYA: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the powers of Mr. C. P. Paisley as Honorary Presidency Magistrate were withdrawn recently on a report by the Commissioner of Police, Madras; and if so, whether he will be pleased to place the report on the table;

(b) whether there were any complaints from any quarter about the way in which Mr. Paisley discharged his duties as Honorary Presidency Magistrate since his appointment and up to the date of the withdrawal of his powers;

(c) if the answer is in the affirmative, what is the number and nature of the complaints received and from whom they were received;

(d) whether any investigation was made to find out the truth of these complaints and by whom the investigation was made;

(e) whether any and if so, which of the complaints were found to be true;

(f) whether Mr. Paisley was informed of these complaints and whether he was given an opportunity to offer his remarks or explanation thereon; if not, why this was not done;

(g) whether the Commissioner of Police was moved to take this action by the private complaint of a one Mr. E. A. Lobo, Bar.-at-Law, in Madras relating to a private matter and if so, whether it was known or ascertained that such a complaint resulted from a disagreement or private quarrel;

(h) what was the nature of the complaint on which the Commissioner of Police made a report and why the complainant was not referred to a court of law to seek redress?

A.—(a) to (f) In December last, the Commissioner of Police brought to the notice of the Government the fact that Mr. Paisley had been externed from His Exalted Highness the Nizam's Dominions. The Government thought it undesirable to continue such a person as an Honorary Presidency Magistrate and directed the Chief Presidency Magistrate to give Mr. Paisley an opportunity of resigning his appointment, telling him that the Government were not prepared to permit an externed person to continue as an Honorary Presidency Magistrate. Mr. Paisley, however, did not choose to tender his resignation and the Government withdrew his powers. The Government regret their inability to place the report of the Commissioner of Police on the table of the House.

(g) & (h) The Government have no information.

Dr. B. S. MALLAYYA :—" May I know whether the Government does not think it is its duty to protect the rights of its subjects when unjustly interfered with by a neighbouring Native State ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" When the question arises, the Government will consider it."

Dr. B. S. MALLAYYA :—" The question has arisen now, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the Government will enquire as to what offence Mr. Paisley committed in His Exalted Highness the Nizam's Dominions to deserve externment, and examine the question of debarring of this gentleman from that point of view ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is exactly what I said on more than one occasion, namely, that it would be discourteous to a foreign Government to ask them to give the reasons for their action."

Dr. B. S. MALLAYYA :—" May I know, Sir, whether discourtesy is greater than depriving the rights of a British subject, and whether they believe . . ."

The hon. the PRESIDENT :—" That is arguing."

Mr. S. SATYAMURTI :—" May I ask, Sir, if it is the policy of the Government that no one should be appointed as an honorary magistrate who is externed from an Indian State ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The question of policy has not arisen."

Mr. K. R. KARANT :—" May I ask, Sir, whether the Government will be pleased to call for the information in clauses (g) and (h) as to whether after all it is not a private complaint which has led to all this ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not think it is necessary, Sir."

Reasons for the withdrawal of Mr. Paisley's powers.

*1892 Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state whether the reasons for the withdrawal of the power of Mr. Paisley as an Honorary Magistrate were based on circumstances antecedent or subsequent to the appointment as Honorary Presidency Magistrate ; and whether they were known to the Select Committee for Honorary Magistrates or to the Government before his appointment as Honorary Magistrate ?

A.—The attention of the hon. Member is invited to the answer given to question No. 1891. The fact that Mr. Paisley had been externed from His Exalted Highness the Nizam's Dominions was not known to the Government when he was appointed Honorary Presidency Magistrate.

Dr. B. S. MALLAYYA :—" Are the Government aware that Mr. Paisley criticised His Exallted Highness the Nizam's Government from Madras in 1921, and for that criticism the Government passed a serious order externing those who criticised them ? And is it a crime sufficiently serious to